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BEFORE THE ARIZONA CORPORATION COMMISSION

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Arizona Corporation Commission

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COMMISSIONERS

JEFF HATCH-MILLER, Chairman
WILLIAM A. MUNDELL
MIKE GLEASON
KRISTIN K. MAYES
BARRY WONG

AZ CORP COMMISSION
DOCUMENT CONTROL

DOCKETED BY

IN THE MATTER OF THE APPLICATION OF
ARIZONA WATER COMPANY FOR AN
EXTENSION OF ITS CERTIFICATE OF
CONVENIENCE AND NECESSITY.

DOCKET NO. W-01445A-04-0453

PROCEDURAL ORDER

BY THE COMMISSION:

In Decision No. 67439 (December 3, 2004) the Arizona Corporation Commission ("Commission") approved the application of Arizona Water Company ("AWC") for an extension of its Certificate of Convenience and Necessity ("Certificate") for its Coolidge system. Decision No. 67439 required AWC to file, within 365 days of the Decision, a copy of the developer's Certificate of Assured Water Supply, the main extension agreement and the Arizona Department of Environmental Quality Certificate of Approval to Construct.

On July 19, 2005, AWC filed a "Request for Additional Time to Comply with Filing Requirement" for Decision No. 67439. AWC requested an additional 365 days, until December 3, 2006, to comply with the Decision. AWC reported that the developer of the requested extension area experienced unexpected delays in planning and financing its development, but plans to proceed with the project in late 2006.

On July 27, 2005, Commission Utilities Division Staff ("Staff") filed a Memorandum and recommended approval of the request.

By Procedural Order issued August 24, 2005, AWC was granted an extension until December 3, 2006 to file a copy of the developer's Certificate of Assured Water Supply.

On August 16, 2006, AWC filed a request for an extension of time until December 31, 2007, to file a copy of the developer's Certificate of Assured Water Supply, a main extension agreement and a Certificate of Approval to Construct.

1 On September 1, 2006, by Procedural Order, Staff was ordered to file a response to AWC's
2 request.

3 On September 1, 2006, Staff filed its response to AWC's request for extension stating that
4 although it had no objection to AWC's request, Staff was concerned about granting Certificate
5 extensions when there is no current need for service or when a land owner or developer has no
6 purpose in requesting an extension other than to increase the value of the property. Staff stated that it
7 wanted to put AWC on notice that if AWC files for another time extension to comply with Decision
8 No. 67439, Staff will request that AWC also file a statement from the developer indicating the reason
9 for the developer's inability to meet the deadlines originally set by the Commission and accepted by
10 AWC.

11 We believe that an evidentiary hearing should be scheduled in this matter.

12 On November 17, 2006, by Procedural Order the matter was scheduled for hearing on January
13 8, 2007 at 10:00 a.m. However, due to a scheduling conflict the time for the hearing needs to be
14 reset.

15 IT IS THEREFORE ORDERED that the evidentiary hearing is hereby reset to commence on
16 **January 8, 2007 at 1:00 p.m.**, at the Commission's offices, 1200 West Washington Street, Phoenix,
17 Arizona.

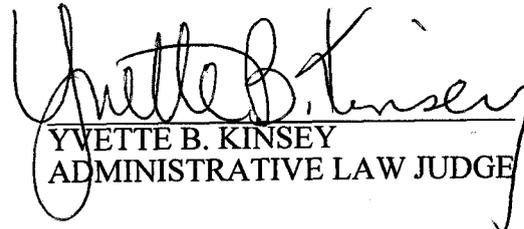
18 IT IS FURTHER ORDERED that all other timeframes set forth in the November 17, 2006
19 Procedural Order shall remain the same.

20 IT IS FURTHER ORDERED that the time for complying with Decision No. 67439 is
21 suspended pending Commission action on the evidentiary hearing concerning AWC's request for
22 additional time.

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1 IT IS FURTHER ORDERED that the Presiding Officer may rescind, alter, amend, or waive
2 any portion of this Procedural Order either by subsequent Procedural Order or by ruling at hearing.

3
4 DATED this 20th day of November, 2006

5
6 
7 YVETTE B. KINSEY
8 ADMINISTRATIVE LAW JUDGE

9
10 Copies of the foregoing mailed
this 20th day of November, 2006 to:

11 Robert W. Geake
12 Vice President and General Counsel
13 Arizona Water Company
14 Post Office Box 29006
15 Phoenix, Arizona 85038\

16 Christopher Kempley, Chief Counsel
17 Legal Division
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21 Ernest Johnson, Director
22 Utilities Division
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24 1200 West Washington Street
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26 ARIZONA REPORTING SERVICE, INC.
27 2627 N. Third Street, Ste. Three
28 Phoenix, Arizona 85004-1126

By: 

Debbi Person
Secretary to Yvette B. Kinsey